

District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Huntington

Date:	9/26/2022	Case Number:	2:21-cr-00092
Case Style:	USA vs. James Gipson		
Type of hearing:	Sentencing		
Before the Honorable:	2514-Chambers		
Court Reporter:	Kathy Swinhart	Courtroom Deputy:	Terry Justice
Attorney(s) for the Plaintiff or Government:			
Kristin Scott			
Attorney(s) for the Defendant(s):			
Timothy LaFon			
Law Clerk:	Mary Offutt-Reagin		
Probation Officer:	Beth Srednicki		

Court Times

Start Time	End Time	Court Time Description
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Courtroom Notes

Hearing scheduled to commence: 2:00 p.m.
Hearing commenced: 2:00 p.m.

Defendant appeared in person and with counsel pursuant to a plea the single count Indictment.
Defendant sworn.

There were no objections to the Presentence Report and the Presentence Report was adopted.

Plea Agreement accepted.

Total offense level 23
criminal history category

III

advisory guideline ranges
custody 120 months
sr

5 years to life
fine

\$20,000 - \$250,000
SA

\$100

Comments of Government and Defendant's counsel.

Custody 120 months

The Court recommended:

that the defendant be housed as close to Charleston, WV, as possible;

that the defendant be allowed to participate in a Sex Offender Treatment Program and the Comprehensive Drug Abuse Treatment Program.

Supervised Release life

The defendant will comply with the standard terms and conditions of supervised release as recommended by the U.S. Sentencing Commission and as adopted by this Court, including the condition that he shall participate in a program of testing, counseling, and treatment for drug and alcohol abuse as directed by the Probation Officer.

The Court adopted all the conditions of supervised release as contained in the presentence report.

Restitution \$3000 due immediately to Jessy" from the "Surfer Hair" series of images.
Restitution is without interest.

Pursuant to the plea agreement, the defendant shall forfeit any and all interest in one Acer laptop to the United States.

Special Assessment \$100 due immediately
The special assessment will be paid through participation in the Inmate Financial Responsibility Program.

The Court finds that payments of the restitution and special assessment are special conditions of supervised release.
Payment is due immediately.

Defendant to shall make payments in installments of \$50 per quarter while incarcerated. If amount due is not paid in full before the defendant's release from prison, then the Court orders the defendant to pay the balance in installments of \$200 per month, with the first being due 30 days after release from prison. If the probation officer determines that a modification of the installment payments is necessary while the defendant is on supervised release, the probation officer can petition the Court to reevaluate the payments.

In connection with the payments, the Court imposes the following additional special conditions of supervised release:

First, the Court prohibits the defendant from incurring new credit charges or opening additional lines of credit without the probation officer's approval unless he is in compliance with the fine payment schedule.

Second, the Court requires the defendant to provide the probation officer access to any requested financial information.

Third, the defendant shall apply all monies received from tax refunds, lottery winnings, judgments, and any other anticipated or unanticipated financial gains to the fine obligation.

Fourth, the defendant shall cooperate with the IRS with regard to any civil audit of his personal and business taxes and shall file all tax returns and amended tax returns as required.

Fifth, the defendant shall make third party risk notification to his current or any future employer while on supervised release.

The defendant was informed of appeal rights.

Defendant detained.

Hearing concluded: 2:11 p.m.